

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PERRY EDWARD CARSON,

Defendant.

CR 24–13–BU–DLC

ORDER

Before the Court is the United States of America’s Motion for Final Order of Forfeiture. (Doc. 67.) Defendant opposes the Motion. (*Id.* at 1–2.) However, Defendant did not file a response brief; the Court deems this an admission that Defendant’s position lacks merit. *See* D. Mont. L.R. CR 47.2(b). Having reviewed the Motion, the Court finds:

1. The United States commenced this action for violation of 18 U.S.C. § 922(g)(1) and provided notice of its intent to pursue forfeiture, pursuant to 18 U.S.C. § 924(d), of any firearms and ammunition involved in such knowing violation. (Doc. 1.)

2. On July 15, 2024, Defendant Carson was convicted at trial of the charged violation, to include forfeiture of the Subject Property. (Docs. 36, 38.)

3. On September 3, 2024, the Court entered a Preliminary Order of Forfeiture, forfeiting Defendant Carson's interest in the Subject Property. (Doc. 63.)

4. Thereafter, the United States published notice of the pending forfeiture as required by 21 U.S.C. § 853(n)(1) and all known interested parties were provided an opportunity to respond. (Doc. 65.)

5. On or about October 7, 2024, the United States received what appears to be a claim, dated September 25, 2024, from Defendant Carson to the Subject Property in which his interest was already forfeited.

6. To date, no additional claims to the Subject Property have been filed and the time for doing so expired on or about November 9, 2024.

4. It appears there is cause to issue a forfeiture order under 18 U.S.C. § 924(d) and Fed. R. Crim. P. 32.2(c)(2).

Accordingly, IT IS ORDERED that:

1. The United States of America's Motion for Final Order of Forfeiture (Doc. 67) is GRANTED.

2. Judgment of forfeiture of the following property shall enter in favor of the United States pursuant to 18 U.S.C. § 924(d), free from the claims of any other party:

- Sig Sauer P365 9mm pistol, SN 66B575310, magazine, and 9mm caliber ammunition.

3. The United States shall have full and legal title to the forfeited Subject Property and may dispose of it in accordance with law.

DATED this 18th day of December, 2024.



Dana L. Christensen, District Judge
United States District Court